

April 29, 2011

John Schurko #25441-053
Fed. Case #CR-03-10335
P.O. Box 444
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IN CLERK'S OFFICE
2011 MAY -4 A 10:59
U.S. DISTRICT COURT
DISTRICT OF MASS.

Chief Judge Mark L. Wolf
United States District Judge
United States Federal Courthouse
One Courthouse Way
Boston, Ma 02210

Dear Judge Wolf:

I am writing to you to ask the Court to appoint me another Lawyer. Recently, I've come into information that calls into question enhancements in relation to my Criminal History points.

I was given two points under §4A1.1(e). However the Sentence Commission eliminated this 2 point enhancement, which went into effect on November 1, 2010. I was also given 2 points under 4A1.1 (b), which I received a 1 year sentence, and served 5 months. This case should not have been used in calculation for Career Offender. Also I was given 2 points under 4A1.1(b) for a 1st offense DUI, and another 2 points under 4A1.1(b) for a 2nd offense DUI State Sentences, Then 2 point under 4A1.1(c) for a 3rd DUI offense. All 3 are Misdemeanor nonviolent State Charges, which also should not have been added.

These are just some of the issues I have with my Criminal History Points. I wanted to file a 2255 with the help of my Attorney. However, (Please see letter enclosed) I was informed by my Attorney that he's in poor health and can not assist me. So again, I asking if the Court can appoint me another Attorney so that I may go forward to resolute my appeal process.

In closing, I also believe that my Attorney failure to notice these discrepancies in my Criminal History Points constitutes Ineffective Assistance of Counsel. Which I also would like to file.

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Because of my lack of knowledge of the Law and ongoing Medical problems, I pray that the Court, Your Honor, grants my request for appointment of an Attorney. I also ask that Your Honor, if possible, can bring me in on a Writ of Habeas Corpus to fully explain my predicament. Thank you very much.

Respectfully Submitted on the 2 day of MAY, 2011


John Shurko